BEFORE THE ARIZONA CORPORATION COMMISSION

WILLIAM A. MUNDELL
CHAIRMAN
JIM IRVIN
COMMISSIONER
MARC SPITZER
COMMISSIONER

IN THE MATTER OF THE GENERIC PROCEEDINGS CONCERNING ELECTRIC RESTRUCTURING ISSUES	DOCKET NO. E-00000A-02-0051
IN THE MATTER OF ARIZONA PUBLIC SERVICE COMPANY'S REQUEST FOR VARIANCE OF CERTAIN REQUIREMENTS OF A.A.C. R14-2-1606	DOCKET NO. E-01345A-01-0822
IN THE MATTER OF THE GENERIC PROCEEDING CONCERNING THE ARIZONA INDEPENDENT SCHEDULING ADMINISTRATOR	DOCKET NO. E-00000A-01-0630
IN THE MATTER OF TUCSON ELECTRIC POWER COMPANY'S APPLICATION FOR A VARIANCE OF CERTAIN ELECTRIC COMPETITION RULES COMPLIANCE DATES	DOCKET NO. E-01933A-02-0069
IN THE MATTER OF THE APPLICATION OF TUCSON ELECTRIC POWER COMPANY FOR APPROVAL OF ITS STRANDED COST RECOVERY	DOCKET NO. E-01933A-98-0471 **POST-HEARING BRIEF OF ARIZONANS FOR ELECTRIC CHOICE AND COMPETITION**

On June 28, 2002 the Chief Administrative Law Judge directed the parties in the above-captioned proceedings to file briefs addressing the Track A issues identified in the Procedural Order dated May 2, 2002. Arizonans for Electric Choice and Competition ("AECC") hereby submits this post-hearing brief on the issues identified in the Procedural Order.

I. TRACK A ISSUES ARE THE ONLY ISSUES PROPERLY BEFORE THE COMMISSION AT THIS TIME

The Commission's Procedural Order identifies the following Track A issues to be addressed in the recently completed hearings: transfer of assets; market power; code of conduct/affiliate rules; and jurisdictional issues. In responding to the Procedural Order, AECC did not extend its direct testimony to other issues, and with the exception of the brief notation to follow, will limit its brief to the Track A issues. Two other parties to this proceeding, namely RUCO and Tucson Electric Power ("TEP"), have introduced into the record proposed changes to Arizona's retail direct access program, a subject matter that is clearly outside the scope of the Track A issues list, and also outside the scope of the issues heretofore considered in other phases of this docket (i.e., Track B and the APS Variance Request). AECC strongly objects to the changes proposed by these parties, as explained in the Rebuttal Testimony of Kevin C. Higgins.[1] Moreover, AECC views the proposal interjected by TEP into this proceeding to be a bad faith attempt to advance its pre-settlement agreement objectives. AECC notes that in setting the topics for this briefing, the Chief Administrative Law Judge has appropriately excluded the issue of any re-design of Arizona's direct access program. Accordingly, AECC will not burden this record further with any additional discussion of this topic, except to reserve its right to argue against the

[1] Higgins, rebuttal testimony at 1-4.

positions advanced by RUCO and TEP on this topic in an appropriate forum, should it ever be considered.

II. SOLUTIONS TO THE TRACK A ISSUES CAN, AND TO THE GREATEST EXTENT PRACTICABLE SHOULD, BE PURSUED WITHIN THE CONTEXT OF THE APS AND TEP SETTLEMENT AGREEMENTS.

AECC signed and supports the APS and TEP Settlement Agreements, continues to believe that they are in the public interest, and urges the Commission to continue to adhere to and enforce them to the greatest extent possible. In adhering to, and advocating for, those agreements, however, AECC is not suggesting that the Commission ignore critical policy issues. As discussed in more detail in Section IV of this brief, and as recognized by almost all of the parties to this proceeding, the potential that market power could unfairly impact retail prices after divestiture and after the termination of existing price caps is a critical public policy issue that still must be resolved. AECC submits that this critical public policy issue can properly be resolved within the context of existing rules, orders and agreements. Specifically, AECC recommends that the Commission take the following actions:

1. In Track B, the Commission should determine the proper timing and amount of the generation resources needed to meet standard offer load that can and should be procured through competitive bids pursuant to 1606(B), and should require full compliance with that determination. The Electric Competition Rules ("Rules") may need to be amended to the limited extent necessary to accommodate these Track B decisions.

2. The Commission should direct the parties to the APS and TEP settlement agreements (and other parties of interest) to make a prompt, good faith effort to address the following issues within the framework of the settlement agreements:

(a) timing of divestiture – the parties should consider the need to modify the timing of divestiture, as necessary, to comport with the Track B findings, (e.g., in the event that competitive bidding is delayed, then divestiture may be delayed); alternatively, APS can bring forward, for the consideration of the other parties and the Commission, a power purchase agreement that provides a short-term "bridge" through 2003, to the extent such a product is needed to supplement APS' standard offer requirements in light of Track B findings;

(b) longer-term power purchase agreement -- APS can bring forward, for the consideration of the other parties and the Commission, a power purchase agreement that provides long-term resources using today's rate-based generation as part of a portfolio that is limited to meeting demand *beyond* the standard offer requirements that are competitively bid (as determined in Track B).

(c) market power – the parties, including the Commission, should seek a consensus approach to market power testing, monitoring, and mitigation, and should pro-actively seek adoption of that approach by FERC.

Consensual resolutions to these issues will be presented to the Commission for approval, and may require conforming amendments to the Rules.

3. To the extent the parties are unable to reach consensual resolutions of the identified public interest issues within a specified timeframe, the Commission should exercise its authority as necessary to protect the public interest, using every reasonable effort to allow impacted parties to the affected settlement agreements to retain the benefit of their bargain.

III. THE TRANSFER OF ASSETS CONTEMPLATED BY THE SETTLEMENT AGREEMENTS AND THE RULES SHOULD PROCEED, EXCEPT TO THE EXTENT THE PARTIES AGREE TO MODIFICATIOINS OR THE PUBLIC INTEREST CANNOT ADEQUATELY BE PROTECTED.

The Electric Competition Rules require that affected utilities separate their competitive generation assets either to an unaffiliated party or to a separate corporate affiliate by January 1, 2001.[2] Both the APS and TEP Settlement Agreements provide two-year extensions to this deadline.[3] The APS Settlement Agreement builds upon the general divestiture requirements in the Rules, and specifies particular terms that are integral features of the settlement package.[4]

Issues relative to market power and the wholesale market were addressed by numerous parties in this docket, including APS. The concerns expressed by APS and others about the near-term viability of the wholesale market make it difficult for divestiture to proceed within the time frame contemplated by the APS Settlement Agreement.[5] APS, for example, has characterized the western wholesale market as "not functioning properly" because liquidity has "gone in the tank."[6] APS's proposed remedy to this problem is a long-term Power Purchase Agreement (PPA) with its affiliate, Pinnacle West Energy Corporation (PWEC). However, the specific PPA proposed by APS is opposed by many parties, including AECC, in part because it would crowd out the ability of new suppliers to compete for APS's standard offer business. To the extent that the Commission is not enamored with the proposed PPA, but otherwise shares APS's concerns about the wholesale market, the Commission will naturally be hesitant to allow divestiture to

---

[2] R14-2-1615(A).
[3] APS Settlement Agreement, Section 4.1(1) [per Addendum]; TEP Settlement Agreement, Section 3.1.
[4] See, for example, APS Settlement Agreement, Sections 4.2 and 4.4.
[5] Higgins, transcript at 1176, lines 10-24.
[6] Davis, transcript at 90, lines 6-7.

move forward on the current schedule without sufficient protections in place to protect the public interest.

The primary public interest concern of divestiture is the potential market power in the APS territory that could be conveyed to PWEC upon the asset transfer.[7] Although Dr. Hieronymous' market power analysis indicates that PWEC would easily pass FERC's new "supply margin assessment" market power test,[8] his analysis looks at *next year's peak demand period* – midway through 2003 – *after* significant merchant generation is scheduled to be on line. In contrast, Mr. Davis' largely bleak observations about the *current* wholesale market essentially describe a *pre*-Arizona-merchant generation marketplace. The difference between these two portrayals is essentially one of timing. As Mr. Higgins concluded, on January 1, 2003, significant PWEC market power may indeed exist, assuming divestiture goes forward on schedule.[9]

AECC recommends that the Commission address this market power timing problem both by directing the parties to the Settlement Agreement to convene prompt settlement discussions as suggested above, and also by utilizing the Track B process in this docket to determine the proper timing and amount of the standard offer load that can and should be competitively procured pursuant to Rule 1606(B), and then requiring full compliance by APS and TEP with that determination. In conjunction with this step, the Commission should consider using a short-term power purchase agreement between APS and PWEC as a means of mitigating market power concerns. A short-term agreement could serve as a bridge to the extent that the Track B evaluation determines that APS will need to supplement competitive bidding for a

[7] Higgins, transcript at 1177, lines 13-23.
[8] Hieronymous, direct testimony at 32, lines 6-10.

period of time in order to procure sufficient resources to provide standard offer service. This short-term agreement can fill the need for system resources for standard offer service while new generation is completed. Also, any market power that PWEC may attempt to exercise vis-à-vis its affiliate APS in 2003 cannot be passed through to standard offer customers, as the Settlement Agreement retail rate cap provisions will still be in effect.

In addition, after the Track B parameters have been established, the Commission may also wish to consider some kind of longer-term power purchase agreement between APS and PWEC to provide longer-term resources using rate-based generation as part of a portfolio to meet demand *beyond* the standard offer requirements that are competitively bid.

AECC believes that by addressing timing, Track B, and power purchase agreement issues as suggested above, divestiture by APS may proceed as scheduled. Alternatively, this approach would also accommodate a delay in divestiture to address concerns raised by the Commission, to the extent that such a provision could be negotiated among the parties.

IV. MARKET POWER ISSUES CAN BE ADDRESSED BY EXISTING PROTOCOLS AND BY NEGOTIATING A PROACTIVE ARIZONA MARKET POWER MITIGATION PLAN

One of the chief concerns in this proceeding is ensuring that retail customers will not be victims of market power abuse after the expiration of standard offer price caps. AECC believes that if the right steps are taken, as discussed in this brief, the public can be protected against market power abuse in the context of restructuring.

[9] Higgins, transcript at 1177, lines 21-23

Prevention of vertical market power abuse is currently being vetted through FERC's RTO development process.[10] Horizontal market power can be manifested in two basic forms: load pocket market power and a more "generalized" market power. Load pocket market power can adequately be mitigated in the near-term by the FERC-approved must-run generation protocol incorporated into the Arizona ISA tariff, which provides wholesale price caps and operating procedures for load pocket conditions. Load pocket market power concerns thus need not be an impediment to divestiture, so long as the Arizona ISA protocols are enforced. In the longer term, mitigation of load pocket market power will be under the purview of an RTO. The WestConnect RTO filing currently before FERC contains provisions for mitigating market power in load pockets that are similar to those of the Arizona ISA, but which allows generation owners to sell at market prices (established outside the load pocket) and establishes a framework for creating proper incentives for generation to be constructed inside the load pocket.[11]

One of the best preventative measures against horizontal market power is the development of new competitive generation resources provided by a diversity of suppliers. This is exactly the course that Arizona embarked upon with the passage of the Rules and the development response has been impressive. As discussed in Section III above, one of the main challenges in taking advantage of the new generation will be in the timing: how to structure the competitive bidding program to take maximum advantage of the new supplies coming on line, while also providing for the continued use of existing rate-based resources in a manner that is fair and reasonable to customers and owners. The course of action described in Section III will

[10] Higgins direct testimony, p. 10, lines 4-14.
[11] Higgins direct testimony, p. 6, line 1 – p. 9, line 17.

allow Arizona to meet this objective, yet it will still be necessary to put in place a market power testing, monitoring, and mitigation plan to serve as a backstop in the event that a horizontal market power situation develops. Ultimately this plan will need to be incorporated into the market monitoring function of whatever RTO is put in place in Arizona. Such a plan will be most effective if it can be developed by consensus among the stakeholders – including the Commission – and proactively pursued as an "Arizona market power mitigation plan" filed at FERC.[12] This mitigation plan should provide for capped pricing – either tied to cost-of-service or an external market index – combined with a "must-offer" obligation during periods when market power is projected to be present.[13] AECC also recommends that the Residual Supply Index (RSI) screen, developed by the California ISO Department of Market Analysis, be used for market power testing purposes.[14]

V. THE COMMISSION WILL RETAIN JURISDICTION SUFFICIENT TO PROTECT THE PUBLIC INTEREST

Assuming the steps identified in this brief are followed, the Commission will retain the power and jurisdiction to protect the public interest. Since the adoption of the Rules, it has been the policy of the state of Arizona that the acquisition of resources to provide standard offer service would be acquired in the wholesale market upon divestiture of utility generation assets, which would mean a larger role for FERC jurisdiction. Through the use of proper steps to protect the public interest, as discussed above, and through the Commission's oversight over the

[12] Higgins, direct testimony at 15, line 9 – 16, line 2.
[13] Higgins, direct testimony at 14, lines 19-22.
[14] Higgins, direct testimony at 12, line 3 – 13, line 2. Also discussed in Hieronymous, rebuttal testimony at 34, line 16 – 36, line 10.

prudence of wholesale purchases, the Commission will have adequate power to protect the public interest of power users in the State of Arizona.

VI. CONCLUSION

AECC respectfully submits that the Commission and the other parties to the APS and TEP Settlement Agreements (and potentially other parties of interest) should make prompt, good faith efforts to address the key Track A public policy issues of divestiture timing and market power within the respective frameworks of those agreements. AECC believes that the best solution to these issues will include competitive bidding to the extent determined available and appropriate in Track B, a short-term "bridge" power purchase agreement, a longer-term power purchase agreement, and a proactive approach to market power testing, monitoring, and mitigation. Finally, all retail customers should retain their hard-won right to shop, which will be an important source of customer leverage going forward, particularly as merchant generation comes on line and stranded costs are paid off.

RESPECTFULLY SUBMITTED this 10th day of July, 2002.

Gary A. Dodge

Gary A. Dodge
Attorney for Arizonans for Electric Choice and Competition
10 West Broadway, Suite 400
Salt Lake City, UT 84101
(801) 363-6363 - telephone
(801) 363-6666 – facsimile
gdodge@hjdlaw.com - email

Original and eighteen (18) copies of the foregoing filed this 10th day of July, 2002, with:

Docket Control Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

Copies of the foregoing were mailed/delivered this 10th day of July 2002 to the attached service list.

Walter W. Meek
Arizona Utility Investors Assoc.
2100 N. Central Avenue, #210
Phoenix, AZ 85004

RICK GILIAM
ERIC C. GUIDRY
Land &Water Fund of the Rockies
2260 Baseline Road, #200
Boulder, CO 80302

TERRY FROTHUN
Arizona State AFL-CIO
5818 N. 7th Street, #200
Phoenix, AZ 85014-5811

NORMAN J. FURUTA
Department of the Navy
900 Commodore Drive, Bldg. 107
San Bruno, CA 94066-5006

BARBARA S. BUSH
Coalition for Responsible Energy Education
315 W. Rivera Drive
Tempe, AZ 85252

SAM DEFRAW (Attn. Code 001)
Rate Intervention Division
Naval Facilities Engineering Command
Building 212, 4th Floor
901M Street
Washington, DC 20374-5018

RICK LAVIS
Arizona Cotton Growers Assoc.
4139 East Broadway Road
Phoenix, AZ 85040

STEVE BRITTLE
Don=T Waste Arizona, Inc.
6205 South 12th Street
Phoenix, AZ 85040

Columbus Electric Cooperative, Inc.
P. O. Box 631
Deming, NM 88031

Continental Divide Electric Coop.
P. O. Box 1087
Grants, NM 87020

Dixie Escalante Rural Electric Assoc.
CR Box 95
Beryl, UT 84714

Garkane Power Association, Inc.
P. O. Box 790
Richfield, UT 84701

Arizona Dept. of Commerce
Energy Office
3800 North Central Ave., 12th Floor
Phoenix, AZ 85012

CHRISTOPHER J. EMGE
Arizona Community Action Assoc.
2627 N. 3rd Street, #2
Phoenix, AZ 85005

Tucson Electric Power Co.
Legal Dept. – DB203
220 W. 6th Street
P. O. Box 711
Tucson, AZ 85702-0711

JESSICA YOULE
PAB300
Salt River Project
P. O. Box 52025
Phoenix, AZ 85072-2025

JOE EICHELBERGER
Magma Copper Company
P. O. Box 37
Superior, AZ 85273

Craig Marks
Citizens Utitlity Company
2901 N. Central Avenue, Suite 1660
Phoenix, Arizona 85012-2736

Barry Huddleston
Destec Energy
PO Box 4411
Houston, Texas 77210-4411

Steve Montgomery
Johnson Controls
2032 West 4th Street
Tempe, Arizona 85281

Peter Glaser
Shook, Hardy & Bacon, L.L.P.
600 14th Street, N.W., Suite 800
Washington, D.C. 20005-2004
202-783-8400
202-783-4211 - F

Clara Peterson
AARP
HC 31, Box 977
Happy Jack, Arizona 86024

Jim Driscoll
Arizona Citizen Action
5160 E. Bellevue Street, Apt. 101
Tucson, Arizona 85712-4828

Larry McGraw
USDA-RUS
3266 Weeping Willow
Rio Rancho, New Mexico 87124

John Jay List
General Counsel
National Rural Utilities Cooperative Finance Corp.
2201 Cooperative Way
Herndon, Virginia 21071

Robert Julian
PPG
1500 Merrell Lane
Belgrade, Montana 59714

C. Webb Crockett
Jay L. Sharpiro
Fennemore Craig PC
3003 N. Central Avenue, Suite 2600
Phoenix, AZ. 85012-2913

Robert S. Lynch
340 East Palm Lane, Suite 140
Phoenix Arizona 85004-4529

K.R. Saline
K.R. Saline & Associates
Consulting Engineers
160 North Pasadena, Suite 101
Mesa, AZ 85201-6764

Carl Robert Aron
Executive Vice President & COO
ITRON Inc.
2818 N. Sullivan Road
Spokane Washington 99216
Douglas Nelson
Douglas C. Nelson PC
7000 N. 16th Street, Suite 120-307
Phoenix, AZ 85020-5547

Lawrence V. Robertson Jr.
Munger Chadwick, PLC
333 North Wilmot, Suite 300
Tucson, AZ 85711-2634

Albert Sterman
Arizona Consumers Council
2849 East 8th Street
Tucson, AZ 85716

Michael Grant
Gallagher & Kennedy
2575 East Camelback Rd.
Phoenix, AZ 85016-9225

Suzanne Dallimore
Antitrust Unit Chief
Department of Law Buliding
Arizona Attoney General's Office
1275 W. Washington Street
Phoenix, AZ 85007

Vinnie Hunt
City of Tucson
Department of Operations
4004 South Park Avenue, Building 2
Tucson, AZ 85714

Elizabeth S. Firkins
International Brotherhood of Electrical Wkrs
LU #1116
750 S. Tucson Blvd.
Tucson, AZ 85716-5698

Carl Dabelstein
2211 E. Edna Avenue
Phoenix, AZ. 85022

Roderick G. McDougal
City of Phoenix
Attn: Jesse Sears
200 W. Washington St. Suite 1300
Phoenix AZ 75003-1611

William J. Murphy
City of Phoenix
200 W. Washington St. Suite 1400
Phoenix, AZ 85003-1611
Russell E. Jones
Waterfall Economidis Caldwell Hanshaw &
Villamana PC
5210 E. Williams Circle, Suite 800
Tucson, AZ 85711

Christopher Hitchcock
Hitchcock & Hicks
PO Box 87
Bisbee, AZ 85603-0087

Andrew Bettwy

Debra Jacobsen
Southwest Gas Corporation
5241 Spring Mountain Rd.
Las Vegas, NV 89150-0001

Donna M. Bronski
City of Scottsdale
City Attorney's Office
3939 N. Drinkwater Blvd.
Scottsdale, AZ 85251

Bradford A Borman
Pacificorp
201 S. Main, Ste. 2000
SLC, UT 84140

Timothy M. Hogan
Arizona Center for Law in the Public Interest
202 E. McDowell Rd. Suite 153
Phoenix, AZ. 85004

Marcia Weeks
18970 N. 116th Lane
Surprise, AZ 85374

John T. Travers
William H. Nau
272 Market Square, Ste 2724
Lake Forest, Ill 60045

Timothy Michael Toy
Winthrop Stimson Putnam & Roberts
One Battery Park Plaza
NYC, NY 10004-1490

Billie Dean
AVIDD
PO Box 97
Marana, AZ 85652-0987

Raymond B. Wuslich
Winston & Strawn
1400 L. Street, NW
Washington DC 20005

Steven C. Gross
Porter Simon
40200 Truckee Airport Rd.
Truckee, CA 96161-3307

Donald R. Allen
John P. Coyle
Duncan & Allen
1575 Eye Street, NW Suite 300
Washington, DC 20005

Ward Camp
Phaser Advanced Metering Services
400 Gold SW, Ste. 1200
Albuquerque, NM 87102

Theresa Drake
Idaho Power Company
PO Box 70
Boise, ID 83707

Libby Brydolf
California Energy Markets Newsletter
2419 Bancroft Street
San Diego, CA 92104

James P. Barlett
5333 N. 7th Street, Suite B-215
Phoenix, AZ 85014

Jay Moyes
Moyes Storey
3003 N. Central Ave.,Suite 1250
Phoenix, AZ. 85012

Stephen L. Teichler
Stephanie A. Conaghan
Duane Morris & Heckscher, LLP
1667 K Street NW, Suite 700
Washington DC 20006

Kathy T. Puckett
Shell Oil Company
200 N. Dairy Ashford
Houston, TX 77079

Andrew N. Chau
Shell Energy Services Co. LLC
1221 Lamar, Suite 1000
Houston, TX 77010

Peter Q. Nyce Jr.
Department of the Army
JALS-RS Suite 713
901 N. Stuart Street
Arlington, Virginia 22203-1837

Michelle Ahlmer
Arizona Retailers Association
224 W. 2nd Street
Mesa, AZ 85201

Dan Neidlinger
Neidlinger & Associates

3020 N. 17th Drive
Phoenix, AZ 85015

Chuck Garcia
PNM, Law Department
Alvarado Square MS 0806
Albuquerque, NM 87158

Sanford J. Asman
570 Vinington Ct.
Dunwoody, GA 30350-5710

Patricia Cooper
AEPCO/SSWEPCO
1000 S. Highway 80
Benson, AZ 85602

Holly E. Chastain
Schlumberger Resource Management Services Inc.
5430 Metric Place
Norcross, GA 30092-2550

Leslie Lawner
Enron Corp.
712 N. Lea
Roswell, NM 88201

Alan Watts
Southern California Public Power Agency
529 Hilda Ct.
Anaheim, CA 92806

Frederick M. Bloom
Commonwealth Energy Corporation
15991 Red Hill Ave. Suite 201
Tustin, CA 92780

Margaret McConnell
Maricopa Community College
2411 W. 14th Street
Tempe, AZ 85281-6942

Brian Soth
Firstpoint Services Inc.
1001 SW 5th Ave. Suite 500
Portland, Oregon 92704

Ian Calkins
Phoenix Chamber of Commerce
201 N. Central Ave. 27th Floor
Phoenix, AZ 85073

Kevin McSpadden
Milbank Tweed Hadley & Mccloy, LLP
601 S. Figueroa. 30th Floor
LA, CA 90017

MC Arendes, Jr.
C3 Communications Inc.
2600 Via Fortuna, Suite 500
Austin Texas 78746

Patrick J. Sanderson
Arizona Independent Scheduling
Administrator Association
PO Box 6277
Phoenix, AZ 85005-6277

Roger K. Ferland
Quarles & Brady Striech Lang LLP
Renaissance One
Two North Central Avenue
Phoenix, AZ 85004-2391

Charles T. Stevens
Arizonians for Electric Choice & Competition
245 W. Roosevelt
Phoenix, AZ 85003

Mark Sirois
Arizona Community Action Assoc.
2627 N. Third Street, Suite 2
Phoenix, AZ 85003

Jeffery Guldner
Thomas L. Mumaw
Snell & Wilmner
400 E. Van Buren
One Arizona Center
Phoenix, AZ 85004-0001

Steven J. Duffy
Ridge & IsaacsonPC
3101 N. Central Ave. Suite 740
Phoenix, AZ 85012

Greg Patterson
5432 E. Avalon
Phoenix, AZ 85018

Steven Lavigne
Duke Energy
4 Triad Center, Suite 1000
SLC, UT 84180

Dennis L. Delaney
K.R. Saline & Associates
160 North Pasadena, Suite 101

Mesa, AZ 85201-6764

Michael Kurtz
Borhm, Kurtz, & Lowry
36 E. Seventh Street, Suite 2110
Cincinnati, Ohio 45202

David Berry
PO Box 1064
Scottsdale, AZ 85252

William P. Inman
Dept. of Revenue
1600 W. Monroe, Rm 911
Phoenix, AZ 85020-5270

Jana Van Ness
APS
Mail Station 9905
PO Box 53999
Phoenix, AZ 85072-3999

David Couture
TEP
4350 E. Irvington Rd.
Tucson, AZ 85714

Jana Brandt
SRP
Mail Station PAB211
PO Box 52025
Phoenix, AZ 85072-2025

Randall H. Warner
Jones Skelton & Hochuli PLC
2901 N. Central Avenue, Suite 800
Phoenix, AZ 85012

John A. Lasota Jr.
Miller Lasota & Peters, PLC
5225 N. Central Ave.,Suite 235
Phoenix, AZ 85012

Christopher Kempley, Chief Counsel
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, AZ 85007

Arizona Reporting Service Inc.
2627 N. Third Street, Suite three
Phoenix, AZ 85004-1104

Michael A. Curtis
William P. Sullivan

Paul R. Michaud
Martinez & Curtis PC
2712 North 7th Street
Phoenix, AZ 85006

Lindy Funkhouser
Scott S. Wakefield
RUCO
2828 N. Central Ave. Suite 1200
Phoenix, AZ 85004

Aaron Thomas
Vice President
AES NewEnergy Inc.
350 S. Grand Ave., Suite 2950
Los Angeles, CA 90071
(213) 996-6136
(213) 576-6070 – Fax
aaron.thomas@aes.com

Director of Business Development
AES NewEnergy, Inc.
P.O. Box 65447
Tucson, AZ 85728
(520) 742-7622
Theresa.mead@aes.com

Raymond S. Heyman, Esq.
Roshka Heyman & DeWulf
One Arizona Center
400 E. Van Buren, Suite 800
Phoenix, AZ 85004
(602) 256-6100
rheyman@rhd-law.com

Michael W. Patten
Roshka, Heyman & DeWulf
One Arizona Center
400 E. Van Buren, Suite 800
Phoenix, AZ 85004
(602) 256-6100
mpatten@rhd-law.com

John Wallace
Director of Regulatory and Strategic Services
Grand Canyon State Electric Cooperative
Association
120 North 44th Street
Phoenix, AZ 85034

(602) 286-6925
(602) 286-6932 – Fax
jwallace@gcseca.org

Joan Walker-Ratliff
Manager, Regulatory Affairs
Conoco Gas and Power
1000 South Pine
P.O. Box 1267 125-4 ST
Ponca City, OK 74602
Phone: (580) 767-4070
Fax: (580) 767-5764
Joan.walker-ratliff@conoco.com

Lori Glover
Director of Industry Affairs
Stirling Energy Systems
2920 E. Camelback Rd, Suite #150
Phoenix, AZ 85016
Phone: (602) 957-1818
Fax: (602) 957-1919
lglover@stirlingenergy.com

A.B. Baardson
NORDIC POWER
6464 N. Desert Breeze Court
Tucson, AZ. 85750-0846

William Baker
Electrical District No. 6
7310 N 16th Street, Suite 320
Phoenix, Arizona 85020

Paul W. Taylor
R W BECK, Inc.
14635 N. Kierland Blvd, Suite 130
Scottsdale, Arizona 85254-2769

Christopher Hitchcock
Hitchcock & Hicks
P.O. Box 87
Bisbee, Arizona 85603
Phone: (520) 432-2279
Fax: (520) 432-5152
lawyers@bisbeelaw.com

Residential Utility Consumer Office
1110 West Washington, Suite 220
Phoenix, AZ 84007
(602) 364-4836
(602) 364-4846 -- Fax

F:\CLIENTS & PROJECTS\AECC\AECC DOCKET MAILING LIST (list of names).doc